



UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT JOSEPH ZWIERZYCKI,

Defendant.

2:09-CR-449-RLH (RJJ)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on October 13, 2010, defendant ROBERT JOSEPH ZWIERZYCKI pled guilty to Count Two of a Three-Count Criminal Indictment charging him with Receipt of Child Pronography, in violation of Title 18, United States Code, Section 2252A(a)(2).

This Court finds defendant ROBERT JOSEPH ZWIERZYCKI agreed to the forfeiture of property set forth in Forfeiture Allegation of the Criminal Indictment and the Bill of Particulars for Forfeiture of Property.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the Bill of Particulars for Forfeiture of Property and the offense to which defendant ROBERT JOSEPH ZWIERZYCKI pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and 2253(a)(3):

...

- 1 a) any book, magazine, periodical, film, videotape, or other matter which contains
- 2 any such visual depiction, which was produced, transported, mailed, shipped,
- 3 or received; computer images, including movie and still image files, depicting
- 4 a minor engaging in sexually explicit conduct and the diskettes and hard drives
- 5 on which they are maintained;
- 6 b) Computer Tower, serial number CM33C20023391;
- 7 c) External Hard Drive, serial number WCA8U0634295;
- 8 d) Blue iPod, serial number JQ523DAC543;
- 9 e) Black and Silver iPod, serial number 1A904HX2201;
- 10 f) Silver cell phone, serial number 07605388274; and
- 11 g) Hard drive, no serial number ("property").

12 This Court finds the United States of America is now entitled to, and should, reduce the
13 aforementioned property to the possession of the United States of America.

14 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
15 United States of America should seize the aforementioned property.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
17 ROBERT JOSEPH ZWIERZYCKI in the aforementioned property is forfeited and is vested in the
18 United States of America and shall be safely held by the United States of America until further order
19 of the Court.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
21 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
22 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
23 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
24 the name and contact information for the government attorney to be served with the petition, pursuant
25 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

26 . . .

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
2 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
4 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
5 following address at the time of filing:

6 DANIEL D. HOLLINGSWORTH
Assistant United States Attorney
7 MICHAEL A. HUMPHREYS
Assistant United States Attorney
8 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
9 Las Vegas, Nevada 89101.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
11 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
12 following publication of notice of seizure and intent to administratively forfeit the above-described
13 assets.

14 DATED this 13 day of October, 2010.

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UNITED STATES DISTRICT JUDGE
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